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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	CR No. 11-MJ-70677-MAG
)	
Plaintiff,)	STIPULATION AND PROPOSED ORDER
)	EXCLUDING TIME UNDER FED. R. CRIM.
v.)	P. 5.1 & 18 U.S.C. § 3161 AND CONTINUING
)	STATUS CONFERENCE
CRISTINA DELORES PATINO,)	
)	CURRENT DATE: December 22, 2011
)	CURRENT TIME: 9:30 a.m.
Defendant.)	
)	PROPOSED DATE: February 3, 2012
)	PROPOSED TIME: 9:30 a.m.

1 On June 16, 2011, the defendant was arrested based on a warrant issued upon a Criminal
 2 Complaint pending in the Eastern District of Virginia. That case is pending in the Eastern
 3 District of Virginia, case number 11-MJ-455. The defendant is out of custody.

4 The parties anticipate that they will consent to the disposition of the case in the Northern
 5 District of California, where the defendant was arrested and is on bond and pretrial supervision.
 6 The parties also anticipate that the defendant will consent to proceed by information instead of
 7 indictment and waive trial in the Northern District of California. The parties are diligently
 8 preparing the necessary paperwork, which has taken some time.

9 Therefore, the parties stipulate and jointly request that, pursuant to Federal Rule of
 10 Criminal Procedure ("FRCP") 5.1(d), the time limits set forth in FRCP 5.1(c) be excluded from
 11 December 22, 2011 through February 3, 2012. The parties agree that, taking into account the
 12 public interest in prompt disposition of criminal cases, good cause exists for this extension. The
 13 parties also request that time be excluded under the Speedy Trial Act from December 22, 2011
 14 through February 3, 2012 because the defendant needs additional time to review discovery and
 15 to conduct necessary investigation. The parties also request that the Court continue the status
 16 conference scheduled for December 22, 2011 at 9:30 a.m. to February 3, 2012 at 9:30 a.m.

17 STIPULATED:

18 MELINDA HAAG
 19 United States Attorney

20 DATED: December 20, 2011

21 _____/s/
 22 TAREK HELOU
 23 Assistant United States Attorney

24 DATED: December 20, 2011

25 _____/s/
 26 ELLEN LEONIDA
 27 Attorney for Defendant Cristina Delores Patino

28 For the reasons stated above, the Court finds that exclusion of time from December 22,
 2011 through February 3, 2012 is warranted and that the ends of justice served by the

1 continuance outweigh the best interests of the public and the defendant in a speedy trial. 18
2 U.S.C. §3161 (h)(7)(A); FRCP 5.1(d). The failure to grant the requested continuance would deny
3 the defendant effective preparation of counsel, and would result in a miscarriage of justice. 18
4 U.S.C. §3161(h)(7)(B)(iv).

5 The Court also vacates the current status conference, set for December 22, 2011 at 9:30
6 a.m. and sets a new status conference on February 3, 2012 at 9:30 a.m.

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8 SO ORDERED.

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10 DATED: December 21, 2011



11 HONORABLE LAUREL BEELER
12 United States Magistrate Judge
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